

WAILUKU WEATHER			
	Max.	Min.	R'fall
Oct. 18	88	70	.00
Oct. 19	88	68	.00
Oct. 20	88	68	.00
Oct. 21	82	70	.03
Oct. 22	77	69	.42
Oct. 23	84	68	.04

Rainfall 0.50 inches.

SEMI-WEEKLY MAUI NEWS

"FOR THE VALLEY ISLE FIRST"

THIS WEEK'S MAILS	
From the Coast: Friday, President Harrison, (Los Angeles); Saturday, Makura, (Vancouver); Tuesday, Wilhelm.	
To the Coast: Wednesday, Manoa; Monday, President Taft; Tuesday, Ventura.	

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Try First Case Under Hawaiian Dry Amendment

Defense Fails In Attempt To Dismiss Higashiguchi Case On Technicality; Case To Jury Today.

For the first time since the enactment of a federal prohibition law and its amendment giving to the territorial courts concurrent jurisdiction with those of national government, a prisoner is on trial in the circuit court charged with a felony, a second violation of the Volstead Act after conviction for a first offense. The case of the Territory vs. I. Higashiguchi went to trial yesterday and is still in progress today.

Trial of the case followed the denial of three motions made by Eugene Murphy, attorney for the defense, one to quash, another in abatement and a third the interposition of a demurrer. He thus established three grounds for appeal at the outset. The chief point of interest attaching to the case is whether or no the extension of concurrent jurisdiction is valid and if so whether procedure must be introduced into territorial court practice.

Disputed Points Argued
Murphy contended that while concurrent jurisdiction obtains in local courts as per the act of Congress, the Volstead Act as a federal statute must be tried according to federal procedure. For this reason, he argued, the indictments against Higashiguchi, as returned by a territorial grand jury, were invalid.

Frank Crockett, deputy county attorney, countered with the reply that the amendment was in effect a federal law, but that the fact prohibition jurisdiction applies in circuit courts made the following of federal procedure unnecessary.

At the conclusion of the arguments Judge Case denied all three of the points brought up by Murphy. It was later pointed out that if the law was interpreted along the lines suggested by the local attorney the presence of a federal grand jury in addition to the county body would be necessary at all times and that it would further involve other departments of governmental machinery in the Territory.

As the trial opened three separate indictments stood against Higashiguchi, the first charging him with selling corn whiskey and the remaining two with selling okolehao. Under the law he is liable, as a second offender, to a penalty fixed for a felony.

The defendant pleaded not guilty. Selection of the jury was undertaken immediately and the trial formally began during the afternoon session.

Chamber Grateful To All Who Helped Make Maui Reputation Good

Thanks of the Maui Chamber of Commerce are extended to all who participated in the work of receiving the Los Angeles Chamber of Commerce excursionists and in making their stay here thoroughly enjoyable. Chairman W. O. Aiken of the entertainment committee reported last Thursday on the success of the program of entertainment that was undertaken.

In presenting his report Aiken commented on the number of automobiles that were in readiness and the fine spirit shown by citizens who used their cars for transporting the visitors and gave their services as guides. They receive the Chamber's thanks. He then commented on the way the cars and transportation problems were handled by C. E. Morris, E. R. Bevin and C. C. Conrad, and thanks are extended to them. The Hawaiian committee, W. A. Clark and H. K. Duncan were next to be commended. Not least by any means, he said, was the Hawaiian entertainment which was staged by Mrs. A. Garcia. He said that entertainment put the touch of Hawaiian into the affair that was needed and that Mrs. Garcia and all who assisted here were surely to be complimented. He touched on the Crier criticism of the hula and said that from his conversation with numbers of the visitors the Mayor of Los Angeles did not voice the general view. He thought that with the Crier criticism of the dance and the publicity given L. A. Thurston's views of the hula in general and of the exhibition of it at Maui the Island, and received a considerable amount of additional publicity.

From Lorrin K. Smith came a report on the financial end of the entertainment which showed a deficit of something more than \$40 which the Chamber of Commerce will pay. The total cost of the Maui visit, the report shows, was \$2,972.

BEL SAILS FOR CHINA
(ASSOCIATED PRESS)
WASHINGTON, Oct. 24.—Edward Bel has been in charge of the state department information bureau since San Francisco November 2, acting as special counsel for the American Legation. Bel has been in diplomatic service since 1909, serving in Cairo, Teheran, Havana, London, Tokio and Washington.

Painting of Haleakala To Be Presented To Inter-Island Vessel

At the head of the stairway leading from the upper saloon of the new inter-island steamer Haleakala that is to have the Honolulu-Lahaina-Hilo run there will be a beautiful oil painting of Maui's greatest scenic wonder, the Crater of Haleakala, greatest extinct volcanic pit in the world. It will be from the brush of D. Howard Hitchcock and will be the gift of Maui to the ship that is named after Maui's great mountain that rises 10,022 feet from sea to summit. The Chamber of Commerce received a report on the plan from the special committee that was named to select and arrange for a suitable present to the inter-island steamer and the committee's report was approved by the Chamber, thanks extended to the committee and it was continued until the completion of its work by making the actual presentation.

Appropriate Offering
When the report of the committee was called for Thursday Wm. Walsh, chairman, said that H. B. Penhallow had been doing a great deal of work for the committee and called on him to report. Thereupon Penhallow said that the subject of a suitable gift had been considered and the committee favored a painting. He had seen Hitchcock and talked over the subject. At first the price asked for such an art work seemed beyond reach but the artist, realizing the attention to his work that would be attracted by such a prominent display of one of his great paintings and taking into consideration that the affair was an island enterprise had agreed to make the painting for \$500 and was then at the summit preparatory to starting his work.

Reporting further Penhallow said that the canvas will be 5 by 7 feet and the painting of Kilauea and other island wonder scenes, one from Kaula and one from Oahu, would also be displayed, the Hitchcock picture of Haleakala having the place of greatest prominence. William Walsh was to have charge of the raising of the funds for the purchase of the gift.

Leading Hawaiian Painter
D. Howard Hitchcock is recognized as the artist who better than any other can catch and put on canvases the colorings that are found in Hawaii's volcano pictures having won capital attention and admiration. But while the volcano pictures have attracted greatest attention he has painted many charming scenes and vistas from all of the islands of the group, no one having been a more prolific worker upon such subjects than he.

Hitchcock came down from the summit Thursday and took the Kilauea to Honolulu Thursday night.

Wise Comes to Maui From Hawaii Next Friday For Campaign

Senator John H. Wise, Republican nominee for delegate to congress, will arrive on Maui late next Friday night, coming from Hawaii. He went to Hilo by the Saturday Mauna Kea and opened his campaign there on Sunday, making six speeches. Monday he was in Kau and today is scheduled to cover Kona in part, finishing that district and going on to Waimea and Honokaa tomorrow. He has five speeches scheduled for Thursday and is to finish up in Kohala on Friday.

Sentence Three As Pickpockets; Each Gets Term of Year

Convicted of picking pockets at the Maui County Fair grounds during the recent exposition, Francisco Molina, Ambrosio Andaya and Gerardo Tinsay were yesterday sentenced to serve one year each in the Wailuku jail by Judge Harry A. Mossman. Molina, according to the testimony introduced during the trial, was caught in the act of stealing a pocket book containing \$8 from Jose Rosa on Oct. 14. Molina pleaded not guilty and with the two other defendants was tried last Saturday. Andaya and Tinsay were jointly charged with stealing a pocketbook containing \$9.55 from Chuchida Maue on October 11. They were also apprehended during the actual commission of the crime, it is charged. Hearing of the three cases consumed the morning session on Saturday and up until 4:30 o'clock of the half holiday.

Lose Appeal From Shipping Dry Law

Federal Court Given Extension To Permit Filing of New Demand Before U. S. Supreme Court.

(ASSOCIATED PRESS)
NEW YORK, Oct. 23.—The United States District Court here dismissed today the motion by foreign and American shipping companies for a permanent injunction against the enforcement of the recent prohibition ruling of Attorney General Harry M. Daugherty. The court, however, extended the stay temporarily, providing the companies file an immediate appeal to the United States Supreme Court.

The temporary extension applies only to liquor used as supplies for the ships' crews on the east-bound voyage to Europe.

Nine Lines in Plea
WASHINGTON, Oct. 23.—Attorney General H. M. Daugherty's interpretation of the prohibition law barring liquor on ships within the three-mile zone went into effect at 12:01 o'clock Sunday morning. The fleets of nine companies, including two American lines, are exempt temporarily from the ruling on account of the injunction brought before Judge Hand in the federal district court in New York.

The nine lines which are exempt are the two American companies, the International Mercantile Marine and the United American Lines; and the foreign companies, Cunard, White Star, French, International Navigation, Holland-American, Scandinavian-American and Royal Steam Packet.

Hawaii Draft Dodgers Named In Army List

(ASSOCIATED PRESS)
HONOLULU, Oct. 24.—The names of 1216 men of the Territory of Hawaii who were registered by draft boards during the war, and who are now classed as deserters were received from San Francisco Army headquarters today.

These men failed to report for duty. Honolulu contains the largest proportion in Division No. 2, with a total of 892. In division 1, Honolulu is recorded as having 36 deserters; the Maui division 190; division 1, Hawaii, 41; division 2, Hawaii, 57.

Dr. Lyman Abbott Dies In New York

(ASSOCIATED PRESS)
NEW YORK, Oct. 23.—Lyman Abbott, author, clergyman and editor of the Outlook, died yesterday at his home, Cornwall-on-Hudson, N. Y. Dr. Abbott had never recovered completely from an attack of bronchitis suffered last summer.

Veteran Surveyor Dies In Honolulu

(ASSOCIATED PRESS)
HONOLULU, Oct. 23.—Marcus Monsarrat, veteran surveyor who surveyed most of the islands, died at seven o'clock this evening at the old home, in which he was born 65 years ago. The funeral is to take place today.

The deceased was born in Honolulu, March 29, 1857, the son of Marcus Cumming and Elizabeth Jane Monsarrat. Mr. Monsarrat was married to Florence Ellen Luce June 1, 1882, and from this union there were three children, Kathleen Douglas, Mildred Myrtle (deceased) and Ethel Florence. He was educated at Oahu College and at St. Albans. He served as commissioner of boundaries for the first and second judicial circuits and was crown surveyor from 1878 until the time crown lands were taken over by the present government.

Chaulmoogra Specific Causes Parole of 195

(ASSOCIATED PRESS)
HONOLULU, Oct. 24.—The Health Board today announced a total of 195 lepers have been paroled from the Kala hospital and the Kalaupapa settlement since the perfection of the chaulmoogra oil specific in 1919. A board of examiners will go to the settlement today to investigate the cases of 17 more lepers eligible for parole. These include several who've been inmates for more than 20 years. During the past year it has been found necessary to readmit 23 patients who have been paroled, it was announced.

HONOLULU ROADS DAMAGED

(ASSOCIATED PRESS)
HONOLULU, Oct. 23.—A cloud-burst here wreaked havoc among country roads and to numerous bridges. The damage has been estimated by engineers as exceeding \$10,000.

Seek Maui Aid In Navy Day Program

Friday, October 27, Officially Designated As Navy Day; Delegate Harry A. Baldwin Receives Notice.

Delegate Harry A. Baldwin is in receipt of a letter from R. M. Kelly of the Navy League calling attention to the fact that next Friday will be "Navy Day." Maui News is in receipt of a letter on the same subject from President Kelly. Emphasis on Navy Day, the importance of what the navy has done in the past and its importance in the present is asked.

In part the letter to Maui News says: "The Navy rendered vital service to the nation and to humanity during the World War. No great fleet action was fought to give spectacular emphasis to its vital contribution to the victory. But the convoy, the anti-submarine patrol, the mine barrage were essential factors in the winning of the war and the saving of civilization. So it has been in every crisis of our history—the Navy has not failed. In the Revolution, the War of 1812, the Civil War, the Spanish-American War, victory without the Navy would have been virtually impossible. Today our peace and prosperity are safeguarded by the Navy. It is an agent of stability in a troubled world. It carries no threat, but it lends authority to America's voice, speaking for altruism, justice and law."

Integral Part of Nation
"On Navy Day we would celebrate the consecration to duty of the personnel of the present Navy, the glorious services rendered to the nation by the Navy of the past. We would emphasize its unity with every interest and activity of the national life. It is good for the people to stop a moment and consider what has caused the nation's prosperity and greatness. The Navy has played no small part in the progress of America to its present state of influence."

Not Jingoists
"Those who proposed the celebration of Navy Day, who urged upon you what they believe to be an opportunity of patriotic service, are advocates of peace. They believe in and support the policy of reduction of armaments by agreement but reject as absurd the fatuity of disarmament by example. Living in a world of reality they would foster the instrument of their security while looking forward to the realization of the ideal not yet attained when the only security needed by mankind shall rest in the hearts and minds of men and nations."

Dick Harris Resigns And Will Leave Maui At End of This Month

Dick P. Harris has resigned as manager of the Maui Amusement Company and is leaving Maui the first of next month. He will remain in the islands until the end of the year and then will go to California where he has an engagement awaiting him. The amusement seeking public of this island regret that he is leaving but wish him all the good things in the other fields to which he is going. Harris has been on Maui for more than a year and during his management of the company here marked improvement in the character of films shown has come. It has been his endeavor always to make the programs better and to cater to the wants of the film fans. When he has something unusual to offer he has made it known and has all through his stay been a "live wire."

Aside from what he has done for improving the film service here he has taken his place in community endeavors and repeatedly has assisted in bringing success to amateur endeavors. Both he and Mrs. Harris have made many friends here during their stay and these they regret leaving.

Army Considers Plan For World Air Trip

(ASSOCIATED PRESS)
WASHINGTON, Oct. 13.—Tentative plans for the attempted flight of army airplanes around the world is under consideration by air service officials here. The proposed flight has not as yet passed the preliminary survey stage. Two routes are being considered, one from the Atlantic coast via Iceland and Ireland, and one starting on the Pacific and via Alaska, Alutian Islands, Siberia and home via Ireland and Iceland.

SEEKS ARMY INCREASE

(ASSOCIATED PRESS)
WASHINGTON, Oct. 24.—Secretary of War Weeks is asking an amendment to the national defense act to increase the number of sergeants in the army. This move is for the purpose of allowing 1600 non-commissioned officers to be assigned as instructors to national guard reserves and training corps.

Grand Jury Indicts Attorney Vincent For Embezzlement

Indictment of Attorney Enos Vincent by the grand jury created a decided stir when the news of the report became circulated Saturday morning. The bill found is for embezzlement and grows out of his settlement of the case of P. E. Pereira vs. Kolke. Vincent says he will ask a full investigation of his conduct in the case by the attorney general's office and Deputy Frank Crockett said he would ask a special prosecutor for the case from the attorney general. The case was passed until after the return of A. F. Tavares from the mainland, he being Vincent's chief witness. The case from which the indictment arose was to recover a debt from Kolke and an attachment was issued at the request of Eugene Murphy, attorney for Pereira. Kolke was a pineapple planter and his crop was mortgaged to Haiku Fruit Company. The company, Vincent says, wanted to avoid possible litigation and asked him to settle, naming a certain figure and telling him to retain any differences between the amount of the settlement and the amount they offered as his fee. That is the sum, he says, that he is charged with having embezzled. He denies having had any dealings with Kolke or having received or handled any of Kolke's money. He made payment with his own check and two days later received the check from Haiku Fruit company reimbursing him, the check being for the amount specified in his agreement with the company as the outside figure it was to pay.

Vincent was special counsel for the attorney general in the Bevin disbarment proceedings and that fact increased the comment upon the action of the grand jury. The county attorney's office says, however, that the case moved to the grand jury room on charges by persons interested directly and was not in any wise stirred up by the prosecution.

Chamber Takes Step To Keep Balance of Cash in Treasury

New schedules of dues for the Chamber of Commerce are based on a theory of benefit from and financial ability to support the civic organization. An individual membership with dues at only \$6 a year does not carry sufficient revenue to meet the needs of the Chamber and for some time past its balance has been on the wrong side of the books. Deficits in the past have been met by "passing the hat" from time to time but the new arrangement is designed to end such collections except for some particularly special and unusual occasion.

Under the new plan the four large plantations and Kahului railroad will pay \$50 annually. The pineapple companies, smaller plantations and similar corporations will pay \$36. The banks, large stores, ranches, utilities and amusement enterprises will pay \$24. Classified for dues of \$12 are smaller stores, printing shops and newspapers, ice, cold storage and bottling works, contractors and business houses run by an individual. The individual membership at \$6 is still open to officers of companies or members of firms which corporations or firms are previously members, salaried men and others who have not been otherwise classified.

U. S. S. Mojave Runs Out Of Fuel In Mid Pacific; Aid Is Sent

(ASSOCIATED PRESS)
HONOLULU, Oct. 23.—The Coast Guard Cutter Mojave, returning from the Orient with a party of government officials today radioed Pearl Harbor that her fuel was badly depleted and that she would be helpless by Wednesday.

"Wear" Vanity Cases In Escape From Ship

(ASSOCIATED PRESS)
HONOLULU, Oct. 23.—A letter received from John Effinger, a passenger on the ill-fated City of Honolulu, gives additional details of the abandonment of the ship in mid-ocean. Effinger declares that he saved three extra coats without vests or pants, and one pair of shoes. He said that some of the girls aboard the boat wore only their nighties, and vanity cases when they were rescued. He is returning to Honolulu on the same line.

British Cabinet Policy Outlined By New Leader

Bonar Law Formally Accepts Post Vacated By Lloyd George; To Carry Out Irish Constitution In Full.

(ASSOCIATED PRESS)
LONDON, Oct. 24.—"Tranquility" will be the chief plank in the platform of the new British government, Andrew Bonar Law, who accepted the task of forming a cabinet to succeed that of David Lloyd George who resigned last week, indicated in a speech here.

LONDON, Oct. 23.—Andrew Bonar Law, former chancellor of the exchequer, who has been asked to form a new cabinet, was unanimously elected leader of the Unionist party at a meeting today of the members of that organization.

Bonar Law, addressing the meeting said that the Irish constitution must be carried out.

His election as head of the Unionists enables him to accept the task of forming a cabinet by which Great Britain will be given its first Conservative premier since 1905.

The prospect of general elections during the next few weeks has acted as a call to arms to the women of the United Kingdom, who will play their first hands in general elections. British women were granted the right of suffrage for general elections by the representation of the people's act, 1918.

Already male politicians are attempting to reckon with the new force, which is calculated in some quarters to overwhelm the practice of established party procedure.

Indictments Found; Pleas Entered and Calendar Arranged

Eight more indictments, making 14 for the session, were returned by the grand jury on Friday afternoon in a final report. The indictments were against A. F. Turner, malicious conversion in taking an automobile from near the Fair grounds at Fair time; Charley Akina for forgery in connection with attempts to pass a check payable to the order of Julia S. Aiken; G. D. Lacz, offense against a young girl under 15; K. Kitahara, three counts for alleged second violation of national prohibition law; three against I. Higashiguchi alleging second offenses against the national prohibition law and one against Enos Vincent alleging embezzlement, the charges arising out of his settlement of a law suit.

Defendants Plead

Arraignments were made on Saturday morning of the indictments returned Friday and of several of those who were given further time to plead Friday morning. Two pleas of guilty were entered. Ramoro Revela pleaded guilty to three charges of incest. The court sentenced him to not less than five nor more than ten years on one indictment, not less than two nor more than five years on a second indictment, the sentences to run concurrently, and on the third indictment not less than one nor more than five years on one indictment with the other two. Attorney W. F. Crockett explained that the defendant had had "head trouble" when young and was regarded as probably insane then and that the offenses were committed after he had been drinking. The court took the former excuse under consideration but not the latter. He had faced charges for manslaughter previously.

Charley Akina was only 23 years of age but has been in trouble for larceny twice. The court took into consideration his age and wanted to give him a possibility to reform and so the sentence was one to two years and a \$50 fine. Time for G. D. Lacz to plead was extended to yesterday morning and for B. Lambert until tomorrow morning.

Kaelo Kalikane pleaded not guilty to assault with a weapon and his case was set for Wednesday. Eugene Murphy is his counsel.

Will Demur

For Kitahara and Higashiguchi Murphy announced that he would file written demurrers Monday morning. In case his demurrers should be overruled one of the Higashiguchi cases was set for today and the other two to follow the Kalikane case, Thursday and Friday. C. D. Lacz pleaded not guilty and his case was set for yesterday but was not pressed and the Higashiguchi case was started instead.

Vincent pleaded not guilty and asked that his case be passed until the return from the mainland of A. F. Tavares, his chief witness. His request was granted.

JUSTICE DAY RESIGNS

(ASSOCIATED PRESS)
WASHINGTON, Oct. 24.—Associate Justice Day of the United States supreme court today tendered his resignation to President Harding. The resignation becomes effective November 14. It was accepted.